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EXAMINER

HERRERA, DIEGO D

ART UNIT PAPER NUMBER

2683

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/824,565

Applicant(s)

ANSAMAA, JARKKO

Examiner

Diego Herrera

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/15/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04/15/2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The disclosure is objected to because of the following informalities: Misspelling of the word "authorization" in paragraphs [0050] & [0054]. Punctuation needs to be corrected in paragraph [0076] close quotation after 'Request' and close the gap. These are the recommendations given by the examiner.

Appropriate correction is required.

Drawings

3. The drawings are objected to because Fig. 5 and Fig. 6 have the labels of 'Visited Network 1', 'Visited Network 2', and 'Home Network' while in Fig. 2 the labels are different which creates confusion. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several

views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claims 3 are objected to because of the following informalities: There is an extra space between the words "verifying" and "whether" please make correction in claim 3. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4, 7, 9-12, 14, 17-18, and 20-23 rejected under 35 U.S.C. 102(b) as being anticipated by Kauppinen et al. (WO 02/13567 A1).
7. Regarding claim 1, Kauppinen et al. shows and discloses a method for generating charging information in a communication system (Abstract, note: communication system; Page 7, lines: 18-23, note: charging information rate

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encompasses generating charging information as understood by examiner), the method comprising:

- a. Providing a gateway with information regarding a time zone of a user equipment provided with network access by an access entity (Page 6, lines: 18-27, note: information is provided to gateway of time zones and other information about the user mobile station);
 - b. Providing a service for the user equipment via the access entity and the gateway (Abstract; states, information exchanges between networks happen through session initiation protocols (SIP). Fig. 2, note: Objects 10 and 9 serve as conduits to establish a gateway of communications between the two networks); and
 - c. Generating charging information based on said information regarding the time zone for charging for the service (Page 7, lines: 18-23, note: Charging information rate is obtained. Page 10, lines: 1-5, note: Charging information for service is obtain. Page 9, lines: 30-34, note: visited elements are also taken into account for charging service in a visited network).
8. Consider claim 2, and as applied to claim 1 above, Kauppinen et al. shows and discloses a method comprising:
- a. Providing the user equipment with an access to the service through the access entity of a first network to the gateway of a second network, the service provided in the second network (Abstract; states, information exchanges between networks happen through session initiation protocols (SIP). Fig. 2, note:

Objects 10 and 9 serve as conduits to establish a gateway of communications between the two networks);

b. Generating subscriber information comprising from the access entity of the first network to the gateway of the second network (Fig. 2, note: Objects 10 and 9 serve as conduits to establish a gateway of communications between the two networks. Page 7, lines: 18-23, note: Charging information rate is obtained. Page 10, lines: 1-5, note: Charging information for service is obtain. Page 9, lines: 30-34, note: visited elements are also taken into account for charging service in a visited network); and

c. Generating the charging information for charging for the service based on the time zone indication (Page 7, lines: 18-23, note: Charging information rate is obtained. Page 10, lines: 1-5, note: Charging information for service is obtain. Page 9, lines: 30-34, note: visited elements are also taken into account for charging service in a visited network).

9. Consider claim 3, and as applied to claim 1 above, Kauppinen et al. shows and discloses a method comprising:

a. Verifying whether the service is providable for the user equipment based on said information regarding the time zone (Page 8, lines: 26-35 & Page 9, lines: 1-6, note: that this paragraph gives the process of how the user equipment is connected and the information that transpires between then, again the information about the time zone being included in such exchanges is found in page 8, lines: 13-20).

10. Consider claim 4, and as applied to claim 3 above, Kauppinen et al. shows and discloses wherein the verifying step comprises verifying if a subscriber of the user equipment is entitled to receive the service (Page 8, lines: 26-35 & Page 9, lines: 1-6, note: that this paragraph gives the process of how the user equipment is connected and the information that transpires between then, again the information about the time zone being included in such exchanges is found in page 8, lines: 13-20).

11. Consider claim 7, and as applied to claim 1 above, Kauppinen et al. shows and discloses a method wherein the step of providing the user equipment with access to the service comprises providing a communication media from a visited network to a service provider located in a home network of the user equipment (Fig.1 and 2; note: The figures shows interactions between the home network, visited networks and user equipment).

12. Consider claim 9, and as applied to claim 1 above, Kauppinen et al. shows and discloses a method wherein the step of providing the gateway with the information regarding the time zone comprises sending the information from the access entity to the gateway (Abstract; states, information exchanges between networks happen through session initiation protocols (SIP). Fig. 2, note: Objects 10 and 9 serve as conduits to establish a gateway of communications between the two networks).

13. Consider claim 10, and as applied to claim 9 above, Kauppinen et al. shows and discloses wherein sending the information comprises transmitting the information in a message of a packet data protocol context (Page 5, lines: 33-35, note: These lines are referring to following the standards of a third generation protocols cell phone system

which uses packet data protocols; Page 13, lines: 8-10, note: These lines also applies to reference in such a way that GPRS follows packet data protocols and according to these lines of text the reference can be use in such an environment).

14. Consider claim 11, and as applied to claim 1 above, Kauppinen et al. wherein the step of providing the gateway with the information regarding the time zone comprises providing the gateway with the information for mapping an access entity address with the time zone for at least one access entity the gateway interfaces with (Page 9, lines: 19-24, note: The examiner understands these lines to process the information previously given, such as time zone information found in page 8, lines: 13-24; such that it provides information for mapping an access entity as shown in figures 1 and 2).

15. Consider claim 12, and as applied to claim 1 above, Kauppinen et al. shows and discloses a method wherein the step of providing the gateway with the information regarding the time zone comprises providing the gateway with a table comprising information for mapping a user location received from the access entity with the time zone for at least one user location (Page 9, lines: 3-5; 11-15; and 19-29; note: These lines deal with the information process of time zones and location of user in visiting network. This information is stored creating a database, which is a list of information that is mapped for further processing).

16. Regarding claim 14, Kauppinen et al. shows and discloses a communication system comprising:

- a. An access entity configured to provide network access for a user equipment and to provide information regarding a time zone (Abstract, Fig. 1,

Page 6, lines: 2-5, note: CSCF is used to be provide a SIP message access entity information to provide network access to the mobile. Page 8, lines: 13-21, note: that the information provided contains time zone and other information);

b. A gateway configured to receive said information regarding the time zone (Fig. 2, Page 8, lines: 9-13, note: information home network sends information and request information then visited network sends their rate and class or services provided); and

c. Means for providing a service for the user equipment via the access entity and the gateway (Fig. 1 and Fig. 2; note: communication means is established between the two networks),

d. Wherein the communication system is configured to use said information regarding the time zone in generating charging information for charging for the service (Fig. 2, Page 10, lines: 1-10, note charging rate, service class includes information about the time zone described in page 8, lines: 13-20).

17. Consider claim 17, and as applied to claim 15 above, Kauppinen et al. shows and discloses a method wherein the first network comprises a visited network and the second network comprises a home network relating to a subscriber of the user equipment (Fig. 1 and 2, note: regardless of denotation of which network is the first or second the examiner can denote from figures 1 and 2 a visited network and a home network relating subscriber user equipment).

18. Consider claim 18, and as applied to claim 14 above, Kauppinen et al. shows and discloses a method wherein the access entity comprises a serving general packet

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radio service support node and the gateway comprises a gateway general packet radio service support node (Page 5, lines: 33-35, note: These lines are referring to following the standards of a third generation protocols cell phone system which uses packet data protocols; Page 13, lines: 8-10, note: These lines also applies to reference in such a way that GPRS follows packet data protocols and according to these lines of text the reference can be use in such an environment).

19. Regarding claim 20, Kauppinen et al. shows and discloses an access entity configured to:

- a. Generate subscriber information comprising a time zone indication relating to a location of a user equipment in connection with the access entity (Page 8, lines: 26-35 & Page 9, lines: 1-6, note: that this paragraph gives the process of how the user equipment is connected and the information that transpires between then, again the information about the time zone being included in such exchanges is found in page 8, lines: 13-20); and
- b. Transmit the subscriber information from the access entity to a gateway of another network (Fig. 1 and Fig. 2, note: the two figures show this exchange between the user equipment and visited network).

20. Regarding claim 21, Kauppinen et al. shows and discloses a gateway configured to provide charging information using information regarding a time zone of a user equipment provided a network access by an access entity of another network (Page 8, lines: 26-35 & Page 9, lines: 1-6, note: that this paragraph gives the process of how the user equipment is connected and the information that transpires between then, again

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the information about the time zone being included in such exchanges is found in page 8, lines: 13-20).

21. Regarding claim 22, Kauppinen et al. shows and discloses a gateway configure for mapping with a time zone, the gateway comprising an access entity address that at least one access entity of another network the gateway interfaces with (Page 9, lines: 19-26).

22. Regarding claim 23, Kauppinen et al. shows and discloses a gateway configured for mapping a user location received from an access entity of another network with a time zone (Page 9, lines: 19-26).

Claim Rejections - 35 USC § 103

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

24. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

25. Claims 5-6, 15, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kauppinen et al. (WO 02/13567 A1), in view of Turock et al. (U.S. Patent Application Publication # 2002/0091632 A1).

26. Consider claim 5, and as applied to claim 4 above, Kauppinen et al. shows and discloses method further comprising providing the subscriber of the user equipment except with a prepaid account and managing the prepaid account in connection with the gateway.

27. Nonetheless, Turock et al. shows and discloses a prepaid account and managing the prepaid account in connection with the gateway (Abstract; states "the prepaid account manager selects and transmits, an offer of goods and/or services based on an interest database that corresponds to the user's prepaid card account and the usage of that account". Paragraphs: [0038], [0040], [0042], [0044], [0046], and [0047]; note: These paragraphs process of verification and management of account funds and history of use).

28. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Kauppinen et al. to include a method of a prepaid account and managing the prepaid account in connection with the gateway as taught by Turock et al. for the purpose to provide offers for goods and/or services in real time (Abstract).

29. Consider claim 6, and as applied to claim 5 above, Kauppinen et al. does not teach the method wherein the verifying step comprises verifying if the prepaid account possesses enough prepaid resources for receiving the service.

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30. Nonetheless, Turock et al. shows and discloses verifying if the prepaid account possesses enough prepaid resources for receiving the service (Paragraph: [0017]-[0023], these paragraph describe what the verification method consist of and the examiner understands the explanation rendered to satisfy the conditions of what the application is claiming in claim 6).

31. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Kauppinen et al. to include a method of a prepaid account and managing the prepaid account by verifying if the prepaid account possesses enough prepaid resources for receiving the service as taught by Turock et al. for the purpose of checking the current balance of the account, reviewing use of the account and adding value to the account (Paragraph [0014]).

32. Consider claim 15, and as applied to claim 14 above, Kauppinen et al. shows and discloses a method further comprising:

- a. A first network comprising the access entity (Fig. 1 and 2, note: Visited Network is the Proxy provider for user equipment not belonging to the network but belonging to the Home Network as shown in the figure, which has a gateway to provide services);
 - b. A second network configured to provide the service and comprising the gateway (Fig. 1 and 2, note: Home Network is the local provider for the user equipment that is now in a different network outside the Home Network services);
- and

c. The access entity of the first network comprising subscriber information generating means configured to generate the subscriber information comprising a time zone indication and subscriber information transmitting means configured to transmit the subscriber information from the access entity to the gateway of the second network (Page 9, lines: 19-24, note: The examiner understands these lines to process the information previously given, such as time zone information found in page 8, lines: 13-24; such that it provides information for mapping an access entity as shown in figures 1 and 2); Except

d. Charging information generating means configured to generate the charging information for charging for the service based on the time zone information.

41. Nonetheless, Turock et al. discloses a method further comprising charging information generating means configured to generate the charging information for charging for the service based on the time zone information (Paragraphs: [0066], [0075], & [0088]; these paragraphs are generating information about use, location, service, country, charges and other information that is understood by examiner to comply with the said claim).

42. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Kauppinen et al. to include charging information generating means configure to generate the charging information for charging for the service based on the time zone information as taught by Turock et al. for the purposes of reducing the volume of data in the individual user record,

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charging itemization, and rate chart for services render (Paragraphs [0066], [0075], & [0088]).

33. Consider claim 19, and as applied to claim 14 above, Kauppinen et al. does not shows and discloses a method wherein a subscriber of the user equipment possesses a prepaid account to be used in charging the service.

34. Nonetheless, Turock et al. shows and discloses the user equipment possesses a prepaid account to be used in charging the service (Paragraphs: [0038], [0040], [0042], [0044], [0046], and [0047]; note: These paragraphs process of verification and management of account funds and history of use for charging the user equipment for services render outside the Home Network).

35. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Kauppinen et al. to include the user equipment to posses a prepaid account to be used in charging the service as taught by Turock et al. for the purpose of checking the current balance of the account, reviewing use of the account and adding value to the account (Paragraph [0014]).

36. Claims 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kauppinen et al. (WO 02/13567 A1), in view of Stewart (U.S. Patent Application Publication # 2002/0046090 A1).

37. Consider claim 8, and as applied to claim 1 above, Kauppinen et al. does not show and discloses a method further comprising generating said information regarding the time zone by mapping a Greenwich Mean Time time zone to a location of the user equipment.

38. Nonetheless, Stewart shows and discloses generating information regarding the time zone by mapping a Greenwich Mean Time (GMT) time zone to a location of the user equipment (Paragraph [0045]).

39. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Kauppinen et al. to include generating information regarding the time zone by mapping a Greenwich Mean Time (GMT) time zone to a location of the user equipment as taught by Stewart, for the purposes of having update time (Paragraph [0018]).

40. Claims 13 & 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kauppinen et al. (WO 02/13567 A1), in view of Evensen et al. (U.S. Patent # 6,097,945).

41. Consider claim 13, and as applied to claim 1 above, Kauppinen et al. does not shows and discloses a method further comprising pricing the service according to a function of a time of the day when the service is provided.

42. Nonetheless, Evensen et al. shows and discloses method for pricing the service according to a function of a time of the day when the service is provided (Fig. 2a & 2b, col. 2, lines: 57-67; col. 3, lines: 49-64; note: These lines explained the method used to correctly analyze time zone differences and obtaining correct time of day to provide pricing later on).

43. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Kauppinen et al. to include a method of pricing the service according to a function of a time of the day when the

service is provided as taught by Evensen et al. for the purpose of avoiding time error of routing of traffic and to specify the time table in local time.

44. Consider claim 16, and as applied to claim 14 above, Kauppinen et al. does not show and disclose: a method further comprising verifying means configured to verify whether the service is providable based on said information regarding the time zone.

45. Nonetheless, Evensen et al. discloses a method verifying means configured to verify whether the service is providable based on said information regarding the time zone (col. 1, lines: 20-23, 49-56, & 61-63; col. 2, lines: 25-36; note: These lines provide information about time zones and systems to verify user equipment capabilities as to receiving services).

46. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Kauppinen et al. to include a method of verifying means configured to verify whether the service is providable based on said information regarding the time zone as taught by Evensen et al. for the purpose of providing user with a time table in local time independent of which time zone he is in, and avoiding erroneous billing charges do to time zone information (col. 4, lines: 48-54).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following is considered pertinent prior art.

- Yamada (U.S. Patent # 6,188,902 B1), "Multiple communication system, exchange, and terminal device".

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- Sasada et al. (U.S. Patent Application Publication # 2002/0072369 A1),
“Location registration control method, mobile communication network, and communication terminal”.
- Yamamoto et al. (U.S. Patent Application Publication # 2002/0138691 A1),
“Method and system for time-based storage access service”.
- Suzuki (U.S. Patent # 6,041,231), “Mobile communication system with roaming function”.
- Kallioniemi et al. (U.S. Patent # 6,064,887), “Telecommunications network with portability of mobile subscriber number”.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diego Herrera whose telephone number is (571) 272-0907. The examiner can normally be reached on Monday-Friday, 7AM - 4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William G. Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

D.H.


NICK CORSARO
PRIMARY EXAMINER